

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:09-CR-216-FL-8

UNITED STATES OF AMERICA,                     )  
  Plaintiff,                     )  
  )  
  v.                                 )  
  )  
ZIYAD YAGHI,                                     )  
  Defendant.                     )

**YAGHI’S NOTICE REGARDING COURT’S JANUARY 31, 2011 DEADLINE OF  
“DEFENSE OBJ./CONSENT TO GOVT/ PROPOSED CHANGES TO GOVT.-DESIG.  
EXISTING TRANSCRIPTS” (D.E. # 479)**

NOW COMES James M. Ayers, II, counsel for Ziyad Yaghi, and respectfully submits this Notice regarding the Court’s January 31, 2011 deadline (extended to February 28, 2011) of “Defense Obj./Consent to Govt/Proposed Changes to Govt.-Desig. Existing Transcripts” (D.E. # 479). By filing no or few objections to the Government’s proposed transcripts, Defendant Yaghi does not concede or stipulate that the Government’s proposed transcripts are completely accurate or that the proper foundation has been or can be laid or that the transcripts are otherwise admissible at trial against Defendant Yaghi. Also, by not filing objections, or few objections, to transcriptions, Defendant Yaghi is not stipulating that the transcripts are the “best evidence,” complete or not ambiguous, or that the jury should be allowed to review transcripts in the jury room during jury deliberations.

Furthermore, Defendant Yaghi reserves the right to file further objections to all transcripts as a result of the incompleteness of the proffered audiotapes and transcripts, especially considering the significant lapses of audible or discernable voices.

This the 24<sup>th</sup> day of February, 2011

*/s/ James M. Ayers II*

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Criminal – Appointed

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **YAGHI'S NOTICE REGARDING COURT'S JANUARY 31, 2011 DEADLINE OF "DEFENSE OBJ./CONSENT TO GOVT/ PROPOSED CHANGES TO GOVT.-DESIG. EXISTING TRANSCRIPTS" (D.E. # 479)** was filed with the clerk of court for the Eastern District of North Carolina using the electronic filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorney of record:

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This the 24<sup>th</sup> day of February, 2011.

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